

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA, )  
Plaintiff, ) CASE NO. CR07-385-RSM  
v. )  
JAMES VALENTINE ) PROPOSED FINDINGS OF FACT  
Defendant. ) AND DETERMINATION AS TO  
 ) ALLEGED VIOLATIONS OF  
 ) SUPERVISED RELEASE  
\_\_\_\_\_  
 )

## INTRODUCTION

15 I conducted a hearing on alleged violations of supervised release in this case on June 25,  
16 2014. The United States was represented by Tessa Gorman, and defendant was represented by  
17 Jennifer Wellman. The proceedings were digitally recorded.

## CONVICTION AND SENTENCE

19 Defendant had been convicted on or about August 1, 2008 on charges of bank robbery  
20 and bank fraud. The Hon. Ricardo S. Martinez sentenced defendant to 84 months in custody,  
21 followed by five years of supervised release.

22 Defendant completed his term of imprisonment, and entered onto supervised release.

PROPOSED FINDINGS OF FACT &  
DETERMINATION AS TO ALLEGED  
VIOLATIONS OF SUPERVISED RELEASE  
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01 On February 28, 2014, conditions were modified to include a Residential Re-Entry Center  
02 ("RRC") placement for up to 180 days.

03 On May 9, 2014, the court agreed to take no action when it was reported that defendant  
04 used spice and failed to participate satisfactorily in the RRC.

05 **ALLEGED VIOLATIONS AND DEFENDANT'S ADMISSIONS**

06 In an application dated June 24, 2014, Frances L. Davis alleged that defendant violated  
07 the conditions of supervised release in three respects:

08 (1) Use of methamphetamine on or before June 20, 21, 22 and 23, 2014;  
09 (2) Failure to report for urine testing on June 23, 2014; and  
10 (3) Failure to attend chemical dependency treatment on or about June 22, 2014.

11 (Due to an apparent typographical error, the charging documents recited "May  
12 22" for this charge. The parties agree the correct date is June 22).

13 I advised defendant as to these alleged violations, and as to his constitutional rights.  
14 He admitted all three violations, waived any hearing as to whether they occurred, and consented  
15 to having the matter set for a disposition hearing before Judge Martinez.

16 **RECOMMENDED FINDINGS AND CONCLUSIONS**

17 Based upon the foregoing, I recommend the court find that defendant has violated the  
18 conditions of his supervised release in the three respects alleged, and conduct a disposition  
19 hearing. That hearing has been set for July 24, 2014 at 1:30 p.m. before Judge Martinez.

20 Defendant has been detained pending a final determination by the court.

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22    ///

01 DATED this 25th day of June, 2014.

02 s/ John L. Weinberg

03 United States Magistrate Judge

04

05 cc: Sentencing Judge : Hon. Ricardo S. Martinez  
06 Assistant U.S. Attorney : Tessa Gorman  
07 Defense Attorney : Jennifer Wellman  
08 U.S. Probation Officer : Frances L. Davis